

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

RABBIT TANAKA CORPORATION, USA,	)	
a Texas Corporation,	)	
	)	Civil Action No. 08 cv 966
Plaintiff,	)	
	)	JUDGE ROBERT M. DOW JR
vs.	)	MAGISTRATE JUDGE KEYS
	)	
CAN YOU IMAGINE,	)	
a California Corporation,	)	
Defendant.	)	
	)	

**DEFENDANT CAN YOU IMAGINE’S UNOPPOSED MOTION FOR AN  
EXTENSION OF TIME TO ANSWER, MOVE OR OTHERWISE PLEAD TO  
PLAINTIFF’S COMPLAINT AND TO ADJOURN THE SET STATUS HEARING**

**I. Relief Sought**

Defendant, Can You Imagine is a California corporation having its principal place of business at 9314 Eton Avenue, Chatsworth, California 91311. Plaintiff, Rabbit Tanaka Corporation, USA is a Texas corporation having its principal place of business at 5925 Lovell Avenue, Ft. Worth, Texas 76107. Defendant’s lead Counsel has recently agreed to accept service on behalf of the Defendant and will be traveling out of the country until the last week of April 2008. In view of this, Defendant seeks a twenty-six (26) day extension up to and including April 30, 2008, to answer, move or otherwise plead to Plaintiff’s Complaint, such that Defendant’s Counsel will have returned and had adequate time to compile the necessary information to answer, move or otherwise plead.

Further, Defendant seeks to adjourn the Status Hearing set for April 16, 2008, until the week of May 5<sup>th</sup>, 2008, namely, May 5<sup>th</sup> or May 6<sup>th</sup> or the week thereafter when

the Court is available. Defendant respectfully requests that such conference be scheduled at 10 am or later as Defendant's lead Counsel is located in New York and will have to travel to attend the conference or if possible be permitted to appear by telephone. The reason for such adjournment is that Defendant's lead Counsel will be out of the country until the week of April 28<sup>th</sup>, 2008.

Plaintiff's counsel has indicated that Plaintiff will stipulate to the extension and adjournment being sought by Defendant herein and will not oppose this motion. This Motion is not made for delay of this litigation.

## **II. Conclusion**

For the foregoing reasons, Defendant respectfully requests that:

- a) this Court grant Defendant's Motion to Extend Time for Defendant to answer, move or otherwise plead to Plaintiff's Complaint, extending the time to respond for twenty-six (26) days until April 30, 2008.
- b) This Court grant Defendant's Motion to Adjourn the Status hearing set for April 16, 2008, until May 5, 2008 or May 6, 2008 at 10 am or later.

Respectfully submitted,

Dated: April 2, 2008

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s/Ted S. P. Li  
Philip T. Petti  
Ted S. P. Li (NDIL #6280471)  
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Local Counsel for Defendant

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(T): 212-268-0900

Of-Counsel for Defendant,  
Can You Imagine

**CERTIFICATE OF SERVICE**

I hereby certify that on April 2, 2008, a copy of the foregoing **Defendant Can You Imagine's Uopposed Motion for an Extension of Time to Answer, Move or Otherwise Plead to Plaintiff's Complaint and to adjourn the set Status Hearing** was filed with U.S. District Court, Nothern District of Illinois, Eastern Division, in accordance with its Electronic Case Filing (ECF) procedures and served upon Plaintiff via e-mail thru ECF to:

Mr. Robert J. Schneider  
Mr. John R. Crossan  
CHAPMAN AND CUTLER  
111 W. Monroe Street  
Chicago, Illinois 60603

s/Ted S. P. Li  
Ted S. P. Li (NDIL #6280471)